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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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12 ELEAZAR VILLEGAS, )  
13 Plaintiff(s), ) No. C 99-21157 CRB (PR)  
14 v. ) ORDER  
15 S. DUCK, et al., )  
16 Defendant(s). )  
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18 Per order filed on July 2, 2007, the court gave plaintiff 30 days to: (1)  
19 submit proof of payment of the remaining \$ 149.88 on the applicable filing fee  
20 or face dismissal of this suit; and (2) submit proof of service of the summons and  
21 complaint on defendants Duck, Higginbotham, Harris and Nappi or face  
22 dismissal without prejudice of these unserved defendants.

23 The clerk recently notified the court that plaintiff paid the remaining  
24 \$149.88 on the applicable filing fee. But plaintiff has submitted no proof of  
25 service of the summons and complaint on defendants Duck, Higginbotham,  
26 Harris and Nappi, despite being granted several extensions of time to do so, most  
27 recently until January 4, 2008. Defendants Duck, Higginbotham, Harris and  
28 Nappi are dismissed without prejudice.

1 In order to expedite these proceedings, the remaining defendants are  
2 ordered to file a motion for summary judgment, or other dispositive motion, by  
3 no later than March 28, 2008. Plaintiff shall file an opposition, or notice of non-  
4 opposition, within 30 days of receiving the motion, and defendants shall file a  
5 reply within 15 days of receiving any opposition.

6 SO ORDERED.

7 DATED: Jan. 15, 2008

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10 CHARLES R. BREYER  
11 United States District Judge  
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